

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

vs.

CASE NO.: DNYN 5:22CR00457-001

LISA M. WALDRON,
Defendant.

SENTENCING MEMORANDUM

DATED: August 29, 2023
Oswego, New York

Respectfully submitted,



JOSEPH G. RODAK, ESQ.
RODAK LAW OFFICE, P.C.
Attorney for Defendant, Lisa M. Waldron
55 West Second Street
Oswego, New York 13126
Phone: (315) 342-7214
Fax: (315) 342-6956
Email: rodaklawoffice@gmail.com

PRELIMINARY STATEMENT

On April 14, 2023, the Defendant, Lisa M. Waldron, pled guilty to Counts 1 through 11 of a 25-count indictment, alleging that she willfully and knowingly embezzled, stole, purloined and knowingly converted to her own use money of the United States and a department and agency thereof. More specifically, that she obtained and spent monthly Social Security benefits paid by the United States Social Security Administration that was intended for her deceased son and knew that she was not entitled to that money in violation of 18 U.S.C. § 641.

BACKGROUND

A. CONDUCT:

A Pre-Sentence Report was prepared on or about June 15, 2023, setting forth the offense conduct. The Defendant, Lisa M. Waldron, has no reason to question the accuracy of the facts set forth in the Pre-Sentence Report, and therefore accepts the conduct as set forth. Ms. Waldron has accepted responsibility for her conduct and has provided written correspondence in which she freely admitted that she failed to timely advise the Social Security Administration of the death of her son, Jordan C. Brooks, on May 9, 2021, that she was the representative payee for Jordan and continued to receive money after his death until April 1, 2022, and that she spent monies knowing that she was not entitled to said funds. In addition, prior to his death, there were other funds that were not spent for the direct benefit of Jordan, and that she deeply regretted her actions.

B. PERSONAL BACKGROUND:

The Defendant, Lisa M. Waldron, has reviewed the Offender Characteristics as set forth in the Pre-Sentence Report and does not dispute the information as contained therein. The one thing of note is that the Defendant does have one remaining child, a daughter, Adrianna

Waldron, whom she cares for greatly and is extremely remorseful as to how this entire situation has adversely affected her daughter. Her daughter has done well in the past, is a good student, involved with ROTC, cheerleading, German Club, and Honor Society and Ms. Waldron only desires positive things for her daughter moving forward. With regard to Ms. Waldron's physical condition, there has been concern regarding a lump she noticed on her breast but is still awaiting a definite diagnosis or plan of treatment from the medical providers.

C. CRIMINAL HISTORY

Lisa M. Waldron does not dispute those aspects of her criminal history contained in the Pre-Sentence Investigation Report which result in a criminal history category of I and a criminal history score of 0.

SENTENCING

MOTIONS AND REQUESTS OF THE DEFENDANT, LISA M. WALDRON

The Defendant, Lisa M. Waldron, has pled guilty to Counts 1 through 11 of Indictment 22-CR-457 charging her with misuse of funds intended for another specifically collecting monthly Social Security benefits intended for her deceased son and misusing those proceeds in violation of 18 U.S.C. § 641. Ms. Waldron accepts the sentencing guidelines calculations as set forth in the Pre-Sentence Investigation Report. In addition, Ms. Waldron has demonstrated an acceptance of responsibility for the offenses enumerated.

Ms. Waldron has not only accepted responsibility for the charges which she faced in this matter in United States District Court but has also accepted responsibility for the charges which she faced in state court that were pending in the County of Oswego, State of New York. She has entered a plea in that matter to the charges of Assault-1st and Manslaughter-2nd degree with sentencing scheduled for September 28, 2023. While the facts surrounding the state matter are

extremely distressing, I do believe that Ms. Waldron did care deeply for her son, Jordan, and that Jordan was a child with a number of special needs. Ms. Waldron received assistance from a variety of individuals and institutions in caring for Jordan and that assistance was abruptly removed with the onset of the COVID pandemic and the restrictions that came into place as a result. I believe that Ms. Waldron was overwhelmed in her ability to care for her son and continue with her employment all while receiving very limited and possibly minimal support at home.

CONCLUSION

The Defendant, Lisa M. Waldron, respectfully requests that the court take the entirety of the circumstances into consideration at the time of sentencing. After consideration of all the factors set forth in 18 U.S.C. § 3553(a), we respectfully request that the court impose a sentence that is sufficient, but not greater than necessary to achieve the goals of sentencing.